

REMARKS

Claims 1-11 have been rejected.

Claims 1, 2, 4, 6, 7 and 9-11 have been amended.

Claims 1-11 are pending in this application.

Claims 1, 2, 4 and 6-11 have been rejected under 35 U.S.C. §102(b) as being anticipated by Ala-Laurila et al: "Wireless LAN Access Network Architecture for Mobile Operators", IEEE Communication Magazine, 'IEEE Service Center, Piscataway N.J., US vol. 39, no. 11, November 2001 (2001-11), pages 82-89, hereinafter "Ala-Laurila". This rejection is respectfully traversed.

Claim 1 has been amended to reflect that a WLAN controller sends a request for SIM access to a device while also initiating a call with a cellular system. Support for this can be found in the text on page 9 second full paragraph to page 10 last full paragraph, describing Fig. 2. In addition, claim 1 has been amended to include the recitations of claim 2. We have further amended claim 1 to clarify that a unique charging call is initiated and set up in the claim, and in particular to include the text "wherein the charging call enables a proportion of the cost of the call as billed to the user via the subscriber information to be allocated to a party other than the provider of the communication system resource, i.e. the WLAN operator" as is supported in the text on page 11, third paragraph. In this way a particular succession of events is explicit in the claims.

Claim 10 has been similarly amended.

Advantageously, the invention of amended claim 1 solves the problem of requesting and obtaining access through two communication systems without violating an authentication process timeout of either system. In particular, claim 2 has been recast to clearly specify that the step of sending is performed at the same time as the initiating step and before the step of receiving an authentication request by the second communication system, such that the forwarding response step is accomplished before a timeout of the authentication process by the second communication system. Support for this can be found in the text on page 9 second full paragraph and page 10, the last sentence of the last full paragraph.

Ala-Laurila describes interfacing a WLAN network with another communication system and using the authentication capabilities of the second system. In Ala-Laurila, referring to Fig. 4 and columns 1 and 2 of the page 86 of the text, the authentication and access provided between

the two systems is accomplished in a serial manner and is missing the parallel processing aspects of amended claim 1. In particular, Ala-Laurila is missing the parallel elements of sending and initiating, as recited in amended claim 1. Moreover, Ala-Laurila does not reflect on the problem of authentication timing, and therefore could not have envisioned applicant's solution and inventive steps for providing proper authentication before a timeout.

Therefore, Ala-Laurila fails to suggest or disclose the parallel elements of sending and initiating, as recited in amended claim 1. In addition, Ala-Laurila fails to reflect on the problem of authentication timing, and therefore could not have envisioned applicant's solution and inventive steps for providing proper authentication before a timeout, as further specified in amended claim 2.

As a result, applicant respectfully submits that amended claim 1 is novel and inventive over the cited art.

Claim 10 has been amended to include similar recitations as amended claim 1, and is therefore deemed novel and inventive as well for the same reasons. Claim 11 has been recast to depend from claim 1.

Claims 2-9 and 11 are dependent upon amended claim 1, hereby incorporated by reference, and are therefore deemed novel and inventive over the cited art as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

Claims 3 and 5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ala-Laurila in view of McIntosh et al. (US Publ. 2003/0139180). This rejection is respectfully traversed.

Independent claim 1 has been amended into what applicant considers is a condition for allowance as detailed above.

Claims 3 and 5 are dependent on amended claim 1, hereby incorporated by reference, and are therefore deemed allowable as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

The other references of record have been reviewed and applicant's invention is deemed patentably distinct and nonobvious over each taken alone or in combination.

For the foregoing reasons, applicants respectfully request that the above rejections be withdrawn.

Inasmuch as this amendment distinguishes all of the applicants' claims over the prior art references, for the many reasons indicated above, passing of this case is now believed to be in order. A Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Authorization is hereby given to charge any fees necessitated by actions taken herein to Deposit Account 50-2117.

Respectfully submitted,
Jones et al.

Customer Number 22917
Motorola, Inc.
Law Dept. - 3rd floor
1303 E. Algonquin Rd.
Schaumburg, IL 60196

By: /Brian Mancini/
Brian M. Mancini
Attorney for Applicant(s)
Registration No. 39,288
Phone: (847) 576-3992
FAX: (847) 576-3750